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Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Note verbale dated 30 November 2010 from the Permanent Mission of the Principality of Andorra to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Principality of Andorra to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan and has the honour to submit the response of the Principality of Andorra to Security Council resolution 1945 (2010) concerning the Sudan (see annex).

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Annex to the note verbale dated 30 November 2010 from the Permanent Mission of the Principality of Andorra to the United Nations addressed to the Chairman of the Committee

Report of Andorra on the implementation of Security Council resolution 1945 (2010)

Introduction

On 14 October 2010, the Security Council adopted resolution 1945 (2010) concerning the Sudan; paragraph 6 of the resolution requests all Member States to report to the Committee established pursuant to resolution 1591 (2005) on the actions they have taken to implement measures imposed by resolutions 1591 (2005) and 1551 (2004).

Andorra therefore submits the present report, which reflects its willingness to cooperate with the United Nations to promote peace and development.

This report is the fruit of close cooperation among the Financial Intelligence Unit of Andorra, the Customs Department and the Ministry of Foreign Affairs and Institutional Relations.

Andorra refers to previous national reports submitted to the Committee and stands ready to provide the Committee with any additional information and is open to implementing all its recommendations.

The Ministry of Foreign Affairs and Institutional Relations transmits regularly to the Police Service of Andorra the lists and amendments thereto circulated by the various committees of the Security Council. The Police Service immediately implements the measures to which they refer. These lists are entered into the police database and may be consulted by police officers in the course of any screening.

The Police Service, working with the immigration authorities, is competent to examine the identity and nationality documents and criminal record of any person requesting permission to immigrate, and must in all cases consult the police database.

With regard to border controls, the Immigration Act states that one of the conditions for entry into the Principality of Andorra is that the person requesting entry must not constitute a serious threat to the security of the State, persons or property or to public order. To that end, border officials must also consult the police database when carrying out screenings.

In addition, the Police Service database is connected to the database of the International Criminal Police Organization (INTERPOL). The Police Service of Andorra is also in constant contact with the French and Spanish police services.

Andorra has neither a port nor an airport. Andorra can be entered only by road and the borders are patrolled by the Police Service 24 hours a day.

The Ministry of Foreign Affairs and Institutional Relations of Andorra transmits the lists issued by the Security Council Committee established pursuant to resolution 1591 (2005) to the Ministry of Internal Affairs and the Andorran Financial Intelligence Unit.

Within the competence granted to it under the Act on International Cooperation in Criminal Matters, Prevention of the Laundering of Money or Securities Constituting the Proceeds of International Crime and Prevention of the Financing of Terrorism, the Unit issued official communication CI-08/2009* on 31 December 2009 reproducing the measures specified in Security Council resolutions 1591 (2005) and 1556 (2004) (see enclosure). The communications are addressed to financial entities subject to the Act as defined in article 41 of the Act, namely, individuals or entities that are subject to the legal obligations specified in this Act and which belong to any of the following categories:

Operative components of the financial system

Insurance companies authorized to operate in the life insurance sector

Money transfer institutions.

The Act on International Cooperation in Criminal Matters, Prevention of the Laundering of Money or Securities Constituting the Proceeds of International Crime and Prevention of the Financing of Terrorism provides that those subject to its provisions shall monitor all transactions that, although not suspicious, take place under complex or unusual conditions and seem to have no economic justification or legal purpose, and especially transactions likely to involve money-laundering operations and those requiring special monitoring according to official communications.

If one of the entities subject to the Act has reason to suspect that a transaction may be linked to one of the entities or individuals listed in official communications, that transaction is blocked by the Unit and the corresponding file is subsequently transferred to the Public Prosecutor.

The Court of First Instance of Andorra (*Batllia*) is competent to freeze funds which are on Andorran territory and which are owned or controlled, directly or indirectly, by individuals or entities included on the lists issued by the Committee.

The Principality of Andorra, which has a long tradition of peace, has always expressed its support at the international level for the pursuit of disarmament. In that connection, Andorra wishes to point out that it has no army and does not have, develop, market, buy, possess, use or transfer military materiel. The transfer of weapons is an offence under the Andorran Criminal Code. The Police Service and Customs Service maintain constant border control to prevent any transfer of weapons.

Andorra has neither a port nor an airport and can be entered only by road. With regard to border control, Andorra adopted the International Convention on the Harmonized Commodity Description and Coding System in 2006 which was already being applied. The Harmonized System and the risk analyses and statistics prepared by the Customs Department have made it possible to establish a control procedure through the targeting of goods that takes into consideration the provisions of the Security Council resolutions. Border controls consist of exhaustive checks (physical and or documentary) by the Andorran Customs Department.

* The text of the communication is on file with the Secretariat and is available for consultation.